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LRB096 07100 RLC 26258 a

1 AMENDMENT TO SENATE BILL 1030

2 AMENDMENT NO. _____. Amend Senate Bill 1030 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Identification Act is amended by
5 changing Section 5 as follows:

6 (20 ILCS 2630/5) (from Ch. 38, par. 206-5)

7 Sec. 5. Arrest reports; expungement.

8 (a) All policing bodies of this State shall furnish to the
9 Department, daily, in the form and detail the Department
10 requires, fingerprints and descriptions of all persons who are
11 arrested on charges of violating any penal statute of this
12 State for offenses that are classified as felonies and Class A
13 or B misdemeanors and of all minors of the age of 10 and over
14 who have been arrested for an offense which would be a felony
15 if committed by an adult, ~~and may forward such fingerprints and~~
16 ~~descriptions for minors arrested for Class A or B misdemeanors.~~

1 Moving or nonmoving traffic violations under the Illinois
2 Vehicle Code shall not be reported except for violations of
3 Chapter 4, Section 11-204.1, or Section 11-501 of that Code. In
4 addition, conservation offenses, as defined in the Supreme
5 Court Rule 501(c), that are classified as Class B misdemeanors
6 shall not be reported.

7 Whenever an adult or minor prosecuted as an adult, not
8 having previously been convicted of any criminal offense or
9 municipal ordinance violation, charged with a violation of a
10 municipal ordinance or a felony or misdemeanor, is acquitted or
11 released without being convicted, whether the acquittal or
12 release occurred before, on, or after the effective date of
13 this amendatory Act of 1991, the Chief Judge of the circuit
14 wherein the charge was brought, any judge of that circuit
15 designated by the Chief Judge, or in counties of less than
16 3,000,000 inhabitants, the presiding trial judge at the
17 defendant's trial may upon verified petition of the defendant
18 order the record of arrest expunged from the official records
19 of the arresting authority and the Department and order that
20 the records of the clerk of the circuit court be sealed until
21 further order of the court upon good cause shown and the name
22 of the defendant obliterated on the official index required to
23 be kept by the circuit court clerk under Section 16 of the
24 Clerks of Courts Act, but the order shall not affect any index
25 issued by the circuit court clerk before the entry of the
26 order. The Department may charge the petitioner a fee

1 equivalent to the cost of processing any order to expunge or
2 seal the records, and the fee shall be deposited into the State
3 Police Services Fund. The records of those arrests, however,
4 that result in a disposition of supervision for any offense
5 shall not be expunged from the records of the arresting
6 authority or the Department nor impounded by the court until 2
7 years after discharge and dismissal of supervision. Those
8 records that result from a supervision for a violation of
9 Section 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois
10 Vehicle Code or a similar provision of a local ordinance, or
11 for a violation of Section 12-3.2, 12-15 or 16A-3 of the
12 Criminal Code of 1961, or probation under Section 10 of the
13 Cannabis Control Act, Section 410 of the Illinois Controlled
14 Substances Act, Section 70 of the Methamphetamine Control and
15 Community Protection Act, Section 12-4.3(b)(1) and (2) of the
16 Criminal Code of 1961 (as those provisions existed before their
17 deletion by Public Act 89-313), Section 10-102 of the Illinois
18 Alcoholism and Other Drug Dependency Act when the judgment of
19 conviction has been vacated, Section 40-10 of the Alcoholism
20 and Other Drug Abuse and Dependency Act when the judgment of
21 conviction has been vacated, or Section 10 of the Steroid
22 Control Act shall not be expunged from the records of the
23 arresting authority nor impounded by the court until 5 years
24 after termination of probation or supervision. Those records
25 that result from a supervision for a violation of Section
26 11-501 of the Illinois Vehicle Code or a similar provision of a

1 local ordinance, shall not be expunged. All records set out
2 above may be ordered by the court to be expunged from the
3 records of the arresting authority and impounded by the court
4 after 5 years, but shall not be expunged by the Department, but
5 shall, on court order be sealed by the Department and may be
6 disseminated by the Department only as required by law or to
7 the arresting authority, the State's Attorney, and the court
8 upon a later arrest for the same or a similar offense or for
9 the purpose of sentencing for any subsequent felony. Upon
10 conviction for any offense, the Department of Corrections shall
11 have access to all sealed records of the Department pertaining
12 to that individual.

13 (a-5) Those records maintained by the Department for
14 persons arrested prior to their 17th birthday shall be expunged
15 as provided in Section 5-915 of the Juvenile Court Act of 1987.

16 (b) Whenever a person has been convicted of a crime or of
17 the violation of a municipal ordinance, in the name of a person
18 whose identity he has stolen or otherwise come into possession
19 of, the aggrieved person from whom the identity was stolen or
20 otherwise obtained without authorization, upon learning of the
21 person having been arrested using his identity, may, upon
22 verified petition to the chief judge of the circuit wherein the
23 arrest was made, have a court order entered nunc pro tunc by
24 the chief judge to correct the arrest record, conviction
25 record, if any, and all official records of the arresting
26 authority, the Department, other criminal justice agencies,

1 the prosecutor, and the trial court concerning such arrest, if
2 any, by removing his name from all such records in connection
3 with the arrest and conviction, if any, and by inserting in the
4 records the name of the offender, if known or ascertainable, in
5 lieu of the aggrieved's name. The records of the clerk of the
6 circuit court clerk shall be sealed until further order of the
7 court upon good cause shown and the name of the aggrieved
8 person obliterated on the official index required to be kept by
9 the circuit court clerk under Section 16 of the Clerks of
10 Courts Act, but the order shall not affect any index issued by
11 the circuit court clerk before the entry of the order. Nothing
12 in this Section shall limit the Department of State Police or
13 other criminal justice agencies or prosecutors from listing
14 under an offender's name the false names he or she has used.
15 For purposes of this Section, convictions for moving and
16 nonmoving traffic violations other than convictions for
17 violations of Chapter 4, Section 11-204.1 or Section 11-501 of
18 the Illinois Vehicle Code shall not be a bar to expunging the
19 record of arrest and court records for violation of a
20 misdemeanor or municipal ordinance.

21 (c) Whenever a person who has been convicted of an offense
22 is granted a pardon by the Governor which specifically
23 authorizes expungement, he may, upon verified petition to the
24 chief judge of the circuit where the person had been convicted,
25 any judge of the circuit designated by the Chief Judge, or in
26 counties of less than 3,000,000 inhabitants, the presiding

1 trial judge at the defendant's trial, ~~may~~ have a court order
2 entered expunging the record of arrest from the official
3 records of the arresting authority and order that the records
4 of the clerk of the circuit court and the Department be sealed
5 until further order of the court upon good cause shown or as
6 otherwise provided herein, and the name of the defendant
7 obliterated from the official index requested to be kept by the
8 circuit court clerk under Section 16 of the Clerks of Courts
9 Act in connection with the arrest and conviction for the
10 offense for which he had been pardoned but the order shall not
11 affect any index issued by the circuit court clerk before the
12 entry of the order. All records sealed by the Department may be
13 disseminated by the Department only as required by law or to
14 the arresting authority, the State's Attorney, and the court
15 upon a later arrest for the same or similar offense or for the
16 purpose of sentencing for any subsequent felony. Upon
17 conviction for any subsequent offense, the Department of
18 Corrections shall have access to all sealed records of the
19 Department pertaining to that individual. Upon entry of the
20 order of expungement, the clerk of the circuit court shall
21 promptly mail a copy of the order to the person who was
22 pardoned.

23 (c-5) Whenever a person has been convicted of criminal
24 sexual assault, aggravated criminal sexual assault, predatory
25 criminal sexual assault of a child, criminal sexual abuse, or
26 aggravated criminal sexual abuse, the victim of that offense

1 may request that the State's Attorney of the county in which
2 the conviction occurred file a verified petition with the
3 presiding trial judge at the defendant's trial to have a court
4 order entered to seal the records of the clerk of the circuit
5 court in connection with the proceedings of the trial court
6 concerning that offense. However, the records of the arresting
7 authority and the Department of State Police concerning the
8 offense shall not be sealed. The court, upon good cause shown,
9 shall make the records of the clerk of the circuit court in
10 connection with the proceedings of the trial court concerning
11 the offense available for public inspection.

12 (c-6) If a conviction has been set aside on direct review
13 or on collateral attack and the court determines by clear and
14 convincing evidence that the defendant was factually innocent
15 of the charge, the court shall enter an expungement order as
16 provided in subsection (b) of Section 5-5-4 of the Unified Code
17 of Corrections.

18 (d) Notice of the petition for subsections (a), (b), and
19 (c) shall be served by the clerk upon the State's Attorney or
20 prosecutor charged with the duty of prosecuting the offense,
21 the Department of State Police, the arresting agency and the
22 chief legal officer of the unit of local government affecting
23 the arrest. Unless the State's Attorney or prosecutor, the
24 Department of State Police, the arresting agency or such chief
25 legal officer objects to the petition within 30 days from the
26 date of the notice, the court shall enter an order granting or

1 denying the petition. The clerk of the court shall promptly
2 mail a copy of the order to the person, the arresting agency,
3 the prosecutor, the Department of State Police and such other
4 criminal justice agencies as may be ordered by the judge.

5 (e) Nothing herein shall prevent the Department of State
6 Police from maintaining all records of any person who is
7 admitted to probation upon terms and conditions and who
8 fulfills those terms and conditions pursuant to Section 10 of
9 the Cannabis Control Act, Section 410 of the Illinois
10 Controlled Substances Act, Section 70 of the Methamphetamine
11 Control and Community Protection Act, Section 12-4.3 of the
12 Criminal Code of 1961, Section 10-102 of the Illinois
13 Alcoholism and Other Drug Dependency Act, Section 40-10 of the
14 Alcoholism and Other Drug Abuse and Dependency Act, or Section
15 10 of the Steroid Control Act.

16 (f) No court order issued under the expungement provisions
17 of this Section shall become final for purposes of appeal until
18 30 days after notice is received by the Department. Any court
19 order contrary to the provisions of this Section is void.

20 (g) Except as otherwise provided in subsection (c-5) of
21 this Section, the court shall not order the sealing or
22 expungement of the arrest records and records of the circuit
23 court clerk of any person granted supervision for or convicted
24 of any sexual offense committed against a minor under 18 years
25 of age. For the purposes of this Section, "sexual offense
26 committed against a minor" includes but is not limited to the

1 offenses of indecent solicitation of a child or criminal sexual
2 abuse when the victim of such offense is under 18 years of age.

3 (h) (1) Applicability. Notwithstanding any other provision
4 of this Act to the contrary and cumulative with any rights to
5 expungement of criminal records, this subsection authorizes
6 the sealing of criminal records of adults and of minors
7 prosecuted as adults.

8 (2) Sealable offenses. The following offenses may be
9 sealed:

10 (A) All municipal ordinance violations and
11 misdemeanors, with the exception of the following:

12 (i) violations of Section 11-501 of the Illinois
13 Vehicle Code or a similar provision of a local
14 ordinance;

15 (ii) violations of Article 11 of the Criminal Code
16 of 1961 or a similar provision of a local ordinance,
17 except Section 11-14 of the Criminal Code of 1961 as
18 provided in clause B(i) of this subsection (h);

19 (iii) violations of Section 12-15, 12-30, or 26-5
20 of the Criminal Code of 1961 or a similar provision of
21 a local ordinance;

22 (iv) violations that are a crime of violence as
23 defined in Section 2 of the Crime Victims Compensation
24 Act or a similar provision of a local ordinance;

25 (v) Class A misdemeanor violations of the Humane
26 Care for Animals Act; and

1 (vi) any offense or attempted offense that would
2 subject a person to registration under the Sex Offender
3 Registration Act.

4 (B) Misdemeanor and Class 4 felony violations of:

5 (i) Section 11-14 of the Criminal Code of 1961;

6 (ii) Section 4 of the Cannabis Control Act;

7 (iii) Section 402 of the Illinois Controlled
8 Substances Act; and

9 (iv) Section 60 of the Methamphetamine Control and
10 Community Protection Act.

11 However, for purposes of this subsection (h), a
12 sentence of first offender probation under Section 10 of
13 the Cannabis Control Act, Section 410 of the Illinois
14 Controlled Substances Act, or Section 70 of the
15 Methamphetamine Control and Community Protection Act shall
16 be treated as a Class 4 felony conviction.

17 (3) Requirements for sealing. Records identified as
18 sealable under clause (h) (2) may be sealed when the individual
19 was:

20 (A) Acquitted of the offense or offenses or released
21 without being convicted.

22 (B) Convicted of the offense or offenses and the
23 conviction or convictions were reversed.

24 (C) Placed on misdemeanor supervision for an offense or
25 offenses; and

26 (i) at least 3 years have elapsed since the

1 completion of the term of supervision, or terms of
2 supervision, if more than one term has been ordered;
3 and

4 (ii) the individual has not been convicted of a
5 felony or misdemeanor or placed on supervision for a
6 misdemeanor or felony during the period specified in
7 clause (i).

8 (D) Convicted of an offense or offenses; and

9 (i) at least 4 years have elapsed since the last
10 such conviction or term of any sentence, probation,
11 parole, or supervision, if any, whichever is last in
12 time; and

13 (ii) the individual has not been convicted of a
14 felony or misdemeanor or placed on supervision for a
15 misdemeanor or felony during the period specified in
16 clause (i).

17 (4) Requirements for sealing of records when more than one
18 charge and disposition have been filed. When multiple offenses
19 are petitioned to be sealed under this subsection (h), the
20 requirements of the relevant provisions of clauses (h) (3) (A)
21 through (D) each apply. In instances in which more than one
22 waiting period is applicable under clauses (h) (C) (i) and (ii)
23 and (h) (D) (i) and (ii), the longer applicable period applies,
24 and the requirements of clause (h) (3) shall be considered met
25 when the petition is filed after the passage of the longer
26 applicable waiting period. That period commences on the date of

1 the completion of the last sentence or the end of supervision,
2 probation, or parole, whichever is last in time.

3 (5) Subsequent convictions. A person may not have
4 subsequent felony conviction records sealed as provided in this
5 subsection (h) if he or she is convicted of any felony offense
6 after the date of the sealing of prior felony records as
7 provided in this subsection (h).

8 (6) Notice of eligibility for sealing. Upon acquittal,
9 release without conviction, or being placed on supervision for
10 a sealable offense, or upon conviction of a sealable offense,
11 the person shall be informed by the court of the right to have
12 the records sealed and the procedures for the sealing of the
13 records.

14 (7) Procedure. Upon becoming eligible for the sealing of
15 records under this subsection (h), the person who seeks the
16 sealing of his or her records shall file a petition requesting
17 the sealing of records with the clerk of the court where the
18 charge or charges were brought. The records may be sealed by
19 the Chief Judge of the circuit wherein the charge was brought,
20 any judge of that circuit designated by the Chief Judge, or in
21 counties of less than 3,000,000 inhabitants, the presiding
22 trial judge at the defendant's trial, if any. If charges were
23 brought in multiple jurisdictions, a petition must be filed in
24 each such jurisdiction. The petitioner shall pay the applicable
25 fee, if not waived.

26 (A) Contents of petition. The petition shall contain

1 the petitioner's name, date of birth, current address, each
2 charge, each case number, the date of each charge, the
3 identity of the arresting authority, and such other
4 information as the court may require. During the pendency
5 of the proceeding, the petitioner shall promptly notify the
6 clerk of the court of any change of address.

7 (B) Drug test. A person filing a petition to have his
8 or her records sealed for a Class 4 felony violation of
9 Section 4 of the Cannabis Control Act or for a Class 4
10 felony violation of Section 402 of the Illinois Controlled
11 Substances Act must attach to the petition proof that the
12 petitioner has passed a test taken within the previous 30
13 days before the filing of the petition showing the absence
14 within his or her body of all illegal substances in
15 violation of either the Illinois Controlled Substances Act
16 or the Cannabis Control Act.

17 (C) Service of petition. The clerk shall promptly serve
18 a copy of the petition on the State's Attorney or
19 prosecutor charged with the duty of prosecuting the
20 offense, the Department of State Police, the arresting
21 agency and the chief legal officer of the unit of local
22 government effecting the arrest.

23 (D) Entry of order. Unless the State's Attorney or
24 prosecutor, the Department of State Police, the arresting
25 agency or such chief legal officer objects to sealing of
26 the records within 90 days of notice the court shall enter

1 an order sealing the defendant's records.

2 (E) Hearing upon objection. If an objection is filed,
3 the court shall set a date for a hearing and notify the
4 petitioner and the parties on whom the petition had been
5 served, and shall hear evidence on whether the sealing of
6 the records should or should not be granted, and shall make
7 a determination on whether to issue an order to seal the
8 records based on the evidence presented at the hearing.

9 (F) Service of order. After entering the order to seal
10 records, the court must provide copies of the order to the
11 Department, in a form and manner prescribed by the
12 Department, to the petitioner, to the State's Attorney or
13 prosecutor charged with the duty of prosecuting the
14 offense, to the arresting agency, to the chief legal
15 officer of the unit of local government effecting the
16 arrest, and to such other criminal justice agencies as may
17 be ordered by the court.

18 (8) Fees. Notwithstanding any provision of the Clerk of the
19 Courts Act to the contrary, and subject to the approval of the
20 county board, the clerk may charge a fee equivalent to the cost
21 associated with the sealing of records by the clerk and the
22 Department of State Police. The clerk shall forward the
23 Department of State Police portion of the fee to the Department
24 and it shall be deposited into the State Police Services Fund.

25 (i) Subject to available funding, the Illinois Department
26 of Corrections shall conduct a study of the impact of sealing,

1 especially on employment and recidivism rates, utilizing a
2 random sample of those who apply for the sealing of their
3 criminal records under Public Act 93-211, in accordance to
4 rules adopted by the Department. At the request of the Illinois
5 Department of Corrections, records of the Illinois Department
6 of Employment Security shall be utilized as appropriate to
7 assist in the study. The study shall not disclose any data in a
8 manner that would allow the identification of any particular
9 individual or employing unit. The study shall be made available
10 to the General Assembly no later than September 1, 2006.

11 (j) Notwithstanding any provision of the Clerks of Courts
12 Act to the contrary, the clerk may charge a fee equivalent to
13 the cost associated with the sealing or expungement of records
14 by the clerk. From the total filing fee collected for the
15 Petition to seal or expunge, the clerk shall deposit \$10 into
16 the Circuit Court Clerk Operation and Administrative Fund, to
17 be used to offset the costs incurred by the Circuit Court Clerk
18 in performing the additional duties required to serve the
19 Petition to Seal or Expunge on all parties. The clerk shall
20 also charge a filing fee equivalent to the cost of sealing or
21 expunging the record by the Department of State Police. The
22 clerk shall collect and forward the Department of State Police
23 portion of the fee to the Department and it shall be deposited
24 in the State Police Services Fund.

25 (Source: P.A. 94-556, eff. 9-11-05; 95-955, eff. 1-1-09;
26 revised 10-28-08.)

1 Section 10. The Juvenile Court Act of 1987 is amended by
2 changing Sections 5-301, 5-305, and 5-915 as follows:

3 (705 ILCS 405/5-301)

4 Sec. 5-301. Station adjustments. A minor arrested for any
5 offense or a violation of a condition of previous station
6 adjustment may receive a station adjustment for that arrest as
7 provided herein. In deciding whether to impose a station
8 adjustment, either informal or formal, a juvenile police
9 officer shall consider the following factors:

10 (A) The seriousness of the alleged offense.

11 (B) The prior history of delinquency of the minor.

12 (C) The age of the minor.

13 (D) The culpability of the minor in committing the alleged
14 offense.

15 (E) Whether the offense was committed in an aggressive or
16 premeditated manner.

17 (F) Whether the minor used or possessed a deadly weapon
18 when committing the alleged offenses.

19 (1) Informal station adjustment.

20 (a) An informal station adjustment is defined as a
21 procedure when a juvenile police officer determines that
22 there is probable cause to believe that the minor has
23 committed an offense.

24 (b) A minor shall receive no more than 3 informal

1 station adjustments statewide for a misdemeanor offense
2 within 3 years without prior approval from the State's
3 Attorney's Office.

4 (c) A minor shall receive no more than 3 informal
5 station adjustments statewide for a felony offense within 3
6 years without prior approval from the State's Attorney's
7 Office.

8 (d) A minor shall receive a combined total of no more
9 than 5 informal station adjustments statewide during his or
10 her minority.

11 (e) The juvenile police officer may make reasonable
12 conditions of an informal station adjustment which may
13 include but are not limited to:

14 (i) Curfew.

15 (ii) Conditions restricting entry into designated
16 geographical areas.

17 (iii) No contact with specified persons.

18 (iv) School attendance.

19 (v) Performing up to 25 hours of community service
20 work.

21 (vi) Community mediation.

22 (vii) Teen court or a peer court.

23 (viii) Restitution limited to 90 days.

24 (f) If the minor refuses or fails to abide by the
25 conditions of an informal station adjustment, the juvenile
26 police officer may impose a formal station adjustment or

1 refer the matter to the State's Attorney's Office.

2 (g) An informal station adjustment does not constitute
3 an adjudication of delinquency or a criminal conviction.
4 Beginning January 1, 2000, a record shall be maintained
5 with the Department of State Police for informal station
6 adjustments for offenses that would be a felony if
7 committed by an adult, and may be maintained if the offense
8 would be a misdemeanor.

9 (2) Formal station adjustment.

10 (a) A formal station adjustment is defined as a
11 procedure when a juvenile police officer determines that
12 there is probable cause to believe the minor has committed
13 an offense and an admission by the minor of involvement in
14 the offense.

15 (b) The minor and parent, guardian, or legal custodian
16 must agree in writing to the formal station adjustment and
17 must be advised of the consequences of violation of any
18 term of the agreement.

19 (c) The minor and parent, guardian or legal custodian
20 shall be provided a copy of the signed agreement of the
21 formal station adjustment. The agreement shall include:

22 (i) The offense which formed the basis of the
23 formal station adjustment.

24 (ii) An acknowledgment that the terms of the formal
25 station adjustment and the consequences for violation
26 have been explained.

1 (iii) An acknowledgment that the formal station
2 adjustments record may be expunged under Section 5-915
3 of this Act.

4 (iv) An acknowledgement that the minor understands
5 that his or her admission of involvement in the offense
6 may be admitted into evidence in future court hearings.

7 (v) A statement that all parties understand the
8 terms and conditions of formal station adjustment and
9 agree to the formal station adjustment process.

10 (d) Conditions of the formal station adjustment may
11 include, but are not be limited to:

12 (i) The time shall not exceed 120 days.

13 (ii) The minor shall not violate any laws.

14 (iii) The juvenile police officer may require the
15 minor to comply with additional conditions for the
16 formal station adjustment which may include but are not
17 limited to:

18 (a) Attending school.

19 (b) Abiding by a set curfew.

20 (c) Payment of restitution.

21 (d) Refraining from possessing a firearm or
22 other weapon.

23 (e) Reporting to a police officer at
24 designated times and places, including reporting
25 and verification that the minor is at home at
26 designated hours.

1 (f) Performing up to 25 hours of community
2 service work.

3 (g) Refraining from entering designated
4 geographical areas.

5 (h) Participating in community mediation.

6 (i) Participating in teen court or peer court.

7 (j) Refraining from contact with specified
8 persons.

9 (e) A formal station adjustment does not constitute an
10 adjudication of delinquency or a criminal conviction.
11 Beginning January 1, 2000, a record shall be maintained
12 with the Department of State Police for formal station
13 adjustments.

14 (f) A minor or the minor's parent, guardian, or legal
15 custodian, or both the minor and the minor's parent,
16 guardian, or legal custodian, may refuse a formal station
17 adjustment and have the matter referred for court action or
18 other appropriate action.

19 (g) A minor or the minor's parent, guardian, or legal
20 custodian, or both the minor and the minor's parent,
21 guardian, or legal custodian, may within 30 days of the
22 commencement of the formal station adjustment revoke their
23 consent and have the matter referred for court action or
24 other appropriate action. This revocation must be in
25 writing and personally served upon the police officer or
26 his or her supervisor.

1 (h) The admission of the minor as to involvement in the
2 offense shall be admissible at further court hearings as
3 long as the statement would be admissible under the rules
4 of evidence.

5 (i) If the minor violates any term or condition of the
6 formal station adjustment the juvenile police officer
7 shall provide written notice of violation to the minor and
8 the minor's parent, guardian, or legal custodian. After
9 consultation with the minor and the minor's parent,
10 guardian, or legal custodian, the juvenile police officer
11 may take any of the following steps upon violation:

12 (i) Warn the minor of consequences of continued
13 violations and continue the formal station adjustment.

14 (ii) Extend the period of the formal station
15 adjustment up to a total of 180 days.

16 (iii) Extend the hours of community service work up
17 to a total of 40 hours.

18 (iv) Terminate the formal station adjustment
19 unsatisfactorily and take no other action.

20 (v) Terminate the formal station adjustment
21 unsatisfactorily and refer the matter to the juvenile
22 court.

23 (j) A minor shall receive no more than 2 formal station
24 adjustments statewide for a felony offense without the
25 State's Attorney's approval within a 3 year period.

26 (k) A minor shall receive no more than 3 formal station

1 adjustments statewide for a misdemeanor offense without
2 the State's Attorney's approval within a 3 year period.

3 (1) The total for formal station adjustments statewide
4 within the period of minority may not exceed 4 without the
5 State's Attorney's approval.

6 (m) If the minor is arrested in a jurisdiction where
7 the minor does not reside, the formal station adjustment
8 may be transferred to the jurisdiction where the minor does
9 reside upon written agreement of that jurisdiction to
10 monitor the formal station adjustment.

11 (3) Beginning January 1, 2000, the juvenile police officer
12 making a station adjustment shall assure that information about
13 any offense which would constitute a felony if committed by an
14 adult ~~and may assure that information about a misdemeanor is~~
15 transmitted to the Department of State Police.

16 (4) The total number of station adjustments, both formal
17 and informal, shall not exceed 9 without the State's Attorney's
18 approval for any minor arrested anywhere in the State.

19 (Source: P.A. 90-590, eff. 1-1-99.)

20 (705 ILCS 405/5-305)

21 Sec. 5-305. Probation adjustment.

22 (1) The court may authorize the probation officer to confer
23 in a preliminary conference with a minor who is alleged to have
24 committed an offense, his or her parent, guardian or legal
25 custodian, the victim, the juvenile police officer, the State's

1 Attorney, and other interested persons concerning the
2 advisability of filing a petition under Section 5-520, with a
3 view to adjusting suitable cases without the filing of a
4 petition as provided for in this Article, the probation officer
5 should schedule a conference promptly except when the State's
6 Attorney insists on court action or when the minor has
7 indicated that he or she will demand a judicial hearing and
8 will not comply with a probation adjustment.

9 (1-b) In any case of a minor who is in custody, the holding
10 of a probation adjustment conference does not operate to
11 prolong temporary custody beyond the period permitted by
12 Section 5-415.

13 (2) This Section does not authorize any probation officer
14 to compel any person to appear at any conference, produce any
15 papers, or visit any place.

16 (3) No statement made during a preliminary conference in
17 regard to the offense that is the subject of the conference may
18 be admitted into evidence at an adjudicatory hearing or at any
19 proceeding against the minor under the criminal laws of this
20 State prior to his or her conviction under those laws.

21 (4) When a probation adjustment is appropriate, the
22 probation officer shall promptly formulate a written,
23 non-judicial adjustment plan following the initial conference.

24 (5) Non-judicial probation adjustment plans include but
25 are not limited to the following:

26 (a) up to 6 months informal supervision within the

1 family;

2 (b) up to 12 months informal supervision with a
3 probation officer involved which may include any
4 conditions of probation provided in Section 5-715;

5 (c) up to 6 months informal supervision with release to
6 a person other than a parent;

7 (d) referral to special educational, counseling, or
8 other rehabilitative social or educational programs;

9 (e) referral to residential treatment programs;

10 (f) participation in a public or community service
11 program or activity; and

12 (g) any other appropriate action with the consent of
13 the minor and a parent.

14 (6) The factors to be considered by the probation officer
15 in formulating a non-judicial probation adjustment plan shall
16 be the same as those limited in subsection (4) of Section
17 5-405.

18 (7) Beginning January 1, 2000, the probation officer who
19 imposes a probation adjustment plan shall assure that
20 information about an offense which would constitute a felony if
21 committed by an adult, ~~and may assure that information about a~~
22 ~~misdemeanor offense,~~ is transmitted to the Department of State
23 Police.

24 (Source: P.A. 92-329, eff. 8-9-01.)

25 (705 ILCS 405/5-915)

1 Sec. 5-915. Expungement of juvenile law enforcement and
2 court records.

3 (0.05) For purposes of this Section:

4 "Expunge" means to physically destroy the records or
5 return them to the petitioner and to obliterate the
6 petitioner's name from any official index or public record,
7 or both. Nothing in this Act shall require the physical
8 destruction of the circuit court file, but such records
9 relating to arrests or charges, or both, ordered expunged
10 shall be impounded as required by law.

11 "Law enforcement record" includes but is not limited to
12 records of arrest, station adjustments, fingerprints,
13 probation adjustments, the issuance of a notice to appear,
14 or any other records maintained by a local law enforcement
15 agency relating to a juvenile suspected of committing an
16 offense.

17 (1) Any local law enforcement agency maintaining law
18 enforcement records pertaining to a minor who has been arrested
19 shall automatically expunge those records 18 months from the
20 date of the arrest of the minor only if (a) the minor has been
21 arrested but no petitions for delinquency have ever been filed
22 with the clerk of the circuit court and no criminal proceedings
23 have been instituted pursuant to Section 5-805; (b) the arrest
24 is not for an act that if committed by an adult would
25 constitute: (i) homicide, (ii) an offense involving a deadly
26 weapon, (iii) a sex offense as defined in the Sex Offender

1 Registration Act, or (iv) aggravated domestic battery; (c)
2 there is no ongoing investigation relating to the minor's
3 arrest for an act that if committed by an adult would
4 constitute a felony; and (d) the minor has not been
5 subsequently arrested within that 18 month period.

6 (1.5) If a minor is arrested, at the time the minor is
7 released from custody the youth officer, if applicable, or
8 other designated person from the arresting agency, shall notify
9 verbally and in writing to the minor or the minor's parents or
10 guardians that 18 months after the arrest, the minor's law
11 enforcement records will be automatically expunged if (a) the
12 minor has been arrested but no petitions for delinquency have
13 ever been filed with the clerk of the circuit court and no
14 criminal proceedings have been instituted pursuant to Section
15 5-805; (b) the arrest is not for an act that if committed by an
16 adult would constitute: (i) homicide, (ii) an offense involving
17 a deadly weapon, (iii) a sex offense as defined in the Sex
18 Offender Registration Act, or (iv) aggravated domestic
19 battery; (c) there is no ongoing investigation relating to the
20 minor's arrest for an act that if committed by an adult would
21 constitute a felony; and (d) the minor has not been
22 subsequently arrested within that 18 month period.

23 (2) ~~(1)~~ Whenever any person has attained the age of 17 or
24 whenever all juvenile court proceedings relating to that person
25 have been terminated, whichever is later, the person may
26 petition the court to expunge law enforcement records relating

1 to incidents occurring before his or her 17th birthday or his
2 or her juvenile court records, or both, but only in the
3 following circumstances:

4 (a) the minor was arrested and no petition for
5 delinquency was filed with the clerk of the circuit court
6 and the minor does not meet the requirements for automatic
7 expungement under paragraph (1) of Section 5-915; or

8 (b) the minor was charged with an offense and was found
9 not delinquent of that offense; or

10 (c) the minor was placed under supervision pursuant to
11 Section 5-615, and the order of supervision has since been
12 successfully terminated; or

13 (d) the minor was adjudicated for an offense which
14 would be a Class B misdemeanor, Class C misdemeanor, or a
15 petty or business offense if committed by an adult.

16 (2.5) ~~(2)~~ Any person may petition the court to expunge all
17 law enforcement records relating to any incidents occurring
18 before his or her 17th birthday which did not result in
19 proceedings in criminal court and all juvenile court records
20 with respect to any adjudications except those based upon first
21 degree murder and sex offenses which would be felonies if
22 committed by an adult, if the person for whom expungement is
23 sought has had no convictions for any crime since his or her
24 17th birthday and:

25 (a) has attained the age of 21 years; or

26 (b) 5 years have elapsed since all juvenile court

1 proceedings relating to him or her have been terminated or
2 his or her commitment to the Department of Juvenile Justice
3 pursuant to this Act has been terminated;
4 whichever is later of (a) or (b).

5 (2.6) ~~(2.5)~~ If a minor is arrested and no petition for
6 delinquency is filed with the clerk of the circuit court as
7 provided in paragraph (a) of subsection (2) ~~(1)~~ at the time the
8 minor is released from custody, the youth officer, if
9 applicable, or other designated person from the arresting
10 agency, shall notify verbally and in writing to the minor or
11 the minor's parents or guardians that if the State's Attorney
12 does not file a petition for delinquency, the minor has a right
13 to petition to have his or her law enforcement ~~arrest~~ record
14 expunged when the minor attains the age of 17 or when all
15 juvenile court proceedings relating to that minor have been
16 terminated and that unless a petition to expunge is filed or
17 the minor's law enforcement records are automatically expunged
18 pursuant to subsection (1), the minor shall have a law
19 enforcement ~~an arrest~~ record. The youth officer, if applicable,
20 or other designated person from the arresting agency ~~and~~ shall
21 provide the minor and the minor's parents or guardians with an
22 expungement information packet, including a petition to
23 expunge juvenile records obtained from the clerk of the circuit
24 court.

25 (2.7) ~~(2.6)~~ If a minor is charged with an offense and is
26 found not delinquent of that offense; or if a minor is placed

1 under supervision under Section 5-615, and the order of
2 supervision is successfully terminated; or if a minor is
3 adjudicated for an offense that would be a Class B misdemeanor,
4 a Class C misdemeanor, or a business or petty offense if
5 committed by an adult; or if a minor has incidents occurring
6 before his or her 17th birthday that have not resulted in
7 proceedings in criminal court, or resulted in proceedings in
8 juvenile court, and the adjudications were not based upon first
9 degree murder or sex offenses that would be felonies if
10 committed by an adult; then at the time of sentencing or
11 dismissal of the case, the judge shall inform the delinquent
12 minor of his or her right to petition for expungement as
13 provided by law, and the clerk of the circuit court shall
14 provide an expungement information packet to the delinquent
15 minor, written in plain language, including a petition for
16 expungement, a sample of a completed petition, expungement
17 instructions that shall include information informing the
18 minor that (i) once the case is expunged, it shall be treated
19 as if it never occurred, (ii) he or she may apply to have
20 petition fees waived, (iii) once he or she obtains an
21 expungement, he or she may not be required to disclose that he
22 or she had a juvenile record, and (iv) he or she may file the
23 petition on his or her own or with the assistance of an
24 attorney. The failure of the judge to inform the delinquent
25 minor of his or her right to petition for expungement as
26 provided by law does not create a substantive right, nor is

1 that failure grounds for: (i) a reversal of an adjudication of
2 delinquency, (ii) a new trial; or (iii) an appeal.

3 (2.8) ~~(2.7)~~ For counties with a population over 3,000,000,
4 the clerk of the circuit court shall send a "Notification of a
5 Possible Right to Expungement" post card to the minor at the
6 address last received by the clerk of the circuit court on the
7 date that the minor attains the age of 17 based on the
8 birthdate provided to the court by the minor or his or her
9 guardian in cases under paragraphs (b), (c), and (d) of
10 subsection (2) ~~(1)~~; and when the minor attains the age of 21
11 based on the birthdate provided to the court by the minor or
12 his or her guardian in cases under subsection (2.5) ~~(2)~~.

13 (2.9) ~~(2.8)~~ The petition for expungement for subsection (2)
14 ~~(1)~~ shall be substantially in the following form:

15 IN THE CIRCUIT COURT OF, ILLINOIS
16 JUDICIAL CIRCUIT

17 IN THE INTEREST OF) NO.
18)
19)
20)
21 (Name of Petitioner)

22 PETITION TO EXPUNGE JUVENILE RECORDS
23 (705 ILCS 405/5-915 (SUBSECTION 2 ~~1~~))
24 (Please prepare a separate petition for each offense)

1 Now comes, petitioner, and respectfully requests
 2 that this Honorable Court enter an order expunging all juvenile
 3 law enforcement and court records of petitioner and in support
 4 thereof states that: Petitioner has attained the age of 17,
 5 his/her birth date being, or all Juvenile Court
 6 proceedings terminated as of, whichever occurred later.
 7 Petitioner was arrested on by the Police
 8 Department for the offense of, and:

9 (Check One:)

10 () a. no petition was filed with the Clerk of the Circuit
 11 Court.

12 () b. was charged with and was found not delinquent of
 13 the offense.

14 () c. a petition was filed and the petition was dismissed
 15 without a finding of delinquency on

16 () d. on placed under supervision pursuant to Section
 17 5-615 of the Juvenile Court Act of 1987 and such order of
 18 supervision successfully terminated on

19 () e. was adjudicated for the offense, which would have been a
 20 Class B misdemeanor, a Class C misdemeanor, or a petty offense
 21 or business offense if committed by an adult.

22 Petitioner has has not been arrested on charges in
 23 this or any county other than the charges listed above. If
 24 petitioner has been arrested on additional charges, please list
 25 the charges below:

26 Charge(s):

1 Arresting Agency or Agencies:

2 Disposition/Result: (choose from a. through e., above):

3 WHEREFORE, the petitioner respectfully requests this Honorable
4 Court to (1) order all law enforcement agencies to expunge all
5 records of petitioner to this incident, and (2) to order the
6 Clerk of the Court to expunge all records concerning the
7 petitioner regarding this incident.

8

9 Petitioner (Signature)

10

11 Petitioner's Street Address

12

13 City, State, Zip Code

14

15 Petitioner's Telephone Number

16 Pursuant to the penalties of perjury under the Code of Civil
17 Procedure, 735 ILCS 5/1-109, I hereby certify that the
18 statements in this petition are true and correct, or on
19 information and belief I believe the same to be true.

20

1 Petitioner (Signature)

2 The Petition for Expungement for subsection (2.5) ~~(2)~~ shall be
3 substantially in the following form:

4 IN THE CIRCUIT COURT OF, ILLINOIS
5 JUDICIAL CIRCUIT

6 IN THE INTEREST OF) NO.
7)
8)
9)
10 (Name of Petitioner)

11 PETITION TO EXPUNGE JUVENILE RECORDS
12 (705 ILCS 405/5-915 (SUBSECTION 2.5 ~~2~~))

13 (Please prepare a separate petition for each offense)

14 Now comes, petitioner, and respectfully requests
15 that this Honorable Court enter an order expunging all Juvenile
16 Law Enforcement and Court records of petitioner and in support
17 thereof states that:

18 The incident for which the Petitioner seeks expungement
19 occurred before the Petitioner's 17th birthday and did not
20 result in proceedings in criminal court and the Petitioner has
21 not had any convictions for any crime since his/her 17th
22 birthday; and

23 The incident for which the Petitioner seeks expungement

1 occurred before the Petitioner's 17th birthday and the
2 adjudication was not based upon first-degree murder or sex
3 offenses which would be felonies if committed by an adult, and
4 the Petitioner has not had any convictions for any crime since
5 his/her 17th birthday.

6 Petitioner was arrested on by the Police
7 Department for the offense of, and:

8 (Check whichever one occurred the latest:)

9 () a. The Petitioner has attained the age of 21 years, his/her
10 birthday being; or

11 () b. 5 years have elapsed since all juvenile court
12 proceedings relating to the Petitioner have been terminated; or
13 the Petitioner's commitment to the Department of Juvenile
14 Justice pursuant to the expungement of juvenile law enforcement
15 and court records provisions of the Juvenile Court Act of 1987
16 has been terminated. Petitioner ...has ...has not been arrested
17 on charges in this or any other county other than the charge
18 listed above. If petitioner has been arrested on additional
19 charges, please list the charges below:

20 Charge(s):

21 Arresting Agency or Agencies:

22 Disposition/Result: (choose from a or b, above):

23 WHEREFORE, the petitioner respectfully requests this Honorable
24 Court to (1) order all law enforcement agencies to expunge all
25 records of petitioner related to this incident, and (2) to
26 order the Clerk of the Court to expunge all records concerning

1 the petitioner regarding this incident.

2
3 Petitioner (Signature)

4
5 Petitioner's Street Address

6
7 City, State, Zip Code

8
9 Petitioner's Telephone Number

10 Pursuant to the penalties of perjury under the Code of Civil
11 Procedure, 735 ILCS 5/1-109, I hereby certify that the
12 statements in this petition are true and correct, or on
13 information and belief I believe the same to be true.

14
15 Petitioner (Signature)

16 (3) The chief judge of the circuit in which an arrest was
17 made or a charge was brought or any judge of that circuit
18 designated by the chief judge may, upon verified petition of a
19 person who is the subject of an arrest or a juvenile court
20 proceeding under subsection ~~(1) or~~ (2) or (2.5) of this
21 Section, order the law enforcement records or official court
22 file, or both, to be expunged from the official records of the

1 arresting authority, the clerk of the circuit court and the
2 Department of State Police. The person whose records are to be
3 expunged shall petition the court using the appropriate form
4 containing his or her current address and shall promptly notify
5 the clerk of the circuit court of any change of address. Notice
6 of the petition shall be served upon the State's Attorney or
7 prosecutor charged with the duty of prosecuting the offense,
8 the Department of State Police, and the arresting agency or
9 agencies by the clerk of the circuit court. If an objection is
10 filed within 45 days of the notice of the petition, the clerk
11 of the circuit court shall set a date for hearing after the 45
12 day objection period. At the hearing the court shall hear
13 evidence on whether the expungement should or should not be
14 granted. Unless the State's Attorney or prosecutor, the
15 Department of State Police, or an arresting agency objects to
16 the expungement within 45 days of the notice, the court may
17 enter an order granting expungement. The person whose records
18 are to be expunged shall pay the clerk of the circuit court a
19 fee equivalent to the cost associated with expungement of
20 records by the clerk and the Department of State Police. The
21 clerk shall forward a certified copy of the order to the
22 Department of State Police, the appropriate portion of the fee
23 to the Department of State Police for processing, and deliver a
24 certified copy of the order to the arresting agency.

25 (3.1) The Notice of Expungement shall be in substantially
26 the following form:

1 judge sitting in his/her stead, I shall then and there present
2 a Petition to Expunge Juvenile records in the above-entitled
3 matter, at which time and place you may appear.

4

5 Petitioner's Signature

6

7 Petitioner's Street Address

8

9 City, State, Zip Code

10

11 Petitioner's Telephone Number

12 PROOF OF SERVICE

13 On the day of, 20..., I on oath state that I
14 served this notice and true and correct copies of the
15 above-checked documents by:

16 (Check One:)

17 delivering copies personally to each entity to whom they are
18 directed;

19 or

20 by mailing copies to each entity to whom they are directed by
21 depositing the same in the U.S. Mail, proper postage fully
22 prepaid, before the hour of 5:00 p.m., at the United States
23 Postal Depository located at

24

25

26 Signature

1 Clerk of the Circuit Court or Deputy Clerk

2 Printed Name of Delinquent Minor/Petitioner:

3 Address:

4 Telephone Number:

5 (3.2) The Order of Expungement shall be in substantially
6 the following form:

7 IN THE CIRCUIT COURT OF, ILLINOIS

8 JUDICIAL CIRCUIT

9 IN THE INTEREST OF) NO.

10)

11)

12)

13 (Name of Petitioner)

14 DOB

15 Arresting Agency/Agencies

16 ORDER OF EXPUNGEMENT

17 (705 ILCS 405/5-915 (SUBSECTION 3))

18 This matter having been heard on the petitioner's motion and
19 the court being fully advised in the premises does find that
20 the petitioner is indigent or has presented reasonable cause to
21 waive all costs in this matter, IT IS HEREBY ORDERED that:

22 () 1. Clerk of Court and Department of State Police costs
23 are hereby waived in this matter.

24 () 2. The Illinois State Police Bureau of Identification

1 and the following law enforcement agencies expunge all records
2 of petitioner relating to an arrest dated for the
3 offense of

4 Law Enforcement Agencies:
5
6

7 () 3. IT IS FURTHER ORDERED that the Clerk of the Circuit
8 Court expunge all records regarding the above-captioned case.

9 ENTER:

10

11 JUDGE

12 DATED:

13 Name:

14 Attorney for:

15 Address: City/State/Zip:

16 Attorney Number:

17 (3.3) The Notice of Objection shall be in substantially the
18 following form:

19 IN THE CIRCUIT COURT OF, ILLINOIS
20 JUDICIAL CIRCUIT

21 IN THE INTEREST OF) NO.

22)

23)

24)

25 (Name of Petitioner)

NOTICE OF OBJECTION

TO:(Attorney, Public Defender, Minor)

.....

.....

TO:(Illinois State Police)

.....

.....

TO:(Clerk of the Court)

.....

.....

TO:(Judge)

.....

.....

TO:(Arresting Agency/Agencies)

.....

.....

ATTENTION: You are hereby notified that an objection has been filed by the following entity regarding the above-named minor's petition for expungement of juvenile records:

() State's Attorney's Office;

() Prosecutor (other than State's Attorney's Office) charged with the duty of prosecuting the offense sought to be expunged;

() Department of Illinois State Police; or

() Arresting Agency or Agencies.

The agency checked above respectfully requests that this case

1 be continued and set for hearing on whether the expungement
2 should or should not be granted.

3 DATED:

4 Name:

5 Attorney For:

6 Address:

7 City/State/Zip:

8 Telephone:

9 Attorney No.:

10 FOR USE BY CLERK OF THE COURT PERSONNEL ONLY

11 This matter has been set for hearing on the foregoing
12 objection, on in room, located at, before the
13 Honorable, Judge, or any judge sitting in his/her stead.

14 (Only one hearing shall be set, regardless of the number of
15 Notices of Objection received on the same case).

16 A copy of this completed Notice of Objection containing the
17 court date, time, and location, has been sent via regular U.S.
18 Mail to the following entities. (If more than one Notice of
19 Objection is received on the same case, each one must be
20 completed with the court date, time and location and mailed to
21 the following entities):

22 () Attorney, Public Defender or Minor;

23 () State's Attorney's Office;

24 () Prosecutor (other than State's Attorney's Office) charged
25 with the duty of prosecuting the offense sought to be expunged;

26 () Department of Illinois State Police; and

1 () Arresting agency or agencies.

2 Date:

3 Initials of Clerk completing this section:

4 (4) Upon entry of an order expunging records or files, the
5 offense, which the records or files concern shall be treated as
6 if it never occurred. Law enforcement officers and other public
7 offices and agencies shall properly reply on inquiry that no
8 record or file exists with respect to the person.

9 (5) Records which have not been expunged are sealed, and
10 may be obtained only under the provisions of Sections 5-901,
11 5-905 and 5-915.

12 (6) Nothing in this Section shall be construed to prohibit
13 the maintenance of information relating to an offense after
14 records or files concerning the offense have been expunged if
15 the information is kept in a manner that does not enable
16 identification of the offender. This information may only be
17 used for statistical and bona fide research purposes.

18 (7)(a) The State Appellate Defender shall establish,
19 maintain, and carry out, by December 31, 2004, a juvenile
20 expungement program to provide information and assistance to
21 minors eligible to have their juvenile records expunged.

22 (b) The State Appellate Defender shall develop brochures,
23 pamphlets, and other materials in printed form and through the
24 agency's World Wide Web site. The pamphlets and other materials
25 shall include at a minimum the following information:

26 (i) An explanation of the State's juvenile expungement

1 process;

2 (ii) The circumstances under which juvenile
3 expungement may occur;

4 (iii) The juvenile offenses that may be expunged;

5 (iv) The steps necessary to initiate and complete the
6 juvenile expungement process; and

7 (v) Directions on how to contact the State Appellate
8 Defender.

9 (c) The State Appellate Defender shall establish and
10 maintain a statewide toll-free telephone number that a person
11 may use to receive information or assistance concerning the
12 expungement of juvenile records. The State Appellate Defender
13 shall advertise the toll-free telephone number statewide. The
14 State Appellate Defender shall develop an expungement
15 information packet that may be sent to eligible persons seeking
16 expungement of their juvenile records, which may include, but
17 is not limited to, a pre-printed expungement petition with
18 instructions on how to complete the petition and a pamphlet
19 containing information that would assist individuals through
20 the juvenile expungement process.

21 (d) The State Appellate Defender shall compile a statewide
22 list of volunteer attorneys willing to assist eligible
23 individuals through the juvenile expungement process.

24 (e) This Section shall be implemented from funds
25 appropriated by the General Assembly to the State Appellate
26 Defender for this purpose. The State Appellate Defender shall

1 employ the necessary staff and adopt the necessary rules for
2 implementation of this Section.

3 (8) (a) Except with respect to law enforcement agencies, the
4 Department of Corrections, State's Attorneys, or other
5 prosecutors, an expunged juvenile record may not be considered
6 by any private or public entity in employment matters,
7 certification, licensing, revocation of certification or
8 licensure, or registration. Applications for employment must
9 contain specific language that states that the applicant is not
10 obligated to disclose expunged juvenile records of conviction
11 or arrest. Employers may not ask if an applicant has had a
12 juvenile record expunged. Effective January 1, 2005, the
13 Department of Labor shall develop a link on the Department's
14 website to inform employers that employers may not ask if an
15 applicant had a juvenile record expunged and that application
16 for employment must contain specific language that states that
17 the applicant is not obligated to disclose expunged juvenile
18 records of arrest or conviction.

19 (b) A person whose juvenile records have been expunged is
20 not entitled to remission of any fines, costs, or other money
21 paid as a consequence of expungement. This amendatory Act of
22 the 93rd General Assembly does not affect the right of the
23 victim of a crime to prosecute or defend a civil action for
24 damages.

25 (Source: P.A. 94-696, eff. 6-1-06; 95-861, eff. 1-1-09.)".